

IN THE CIRCUIT COURT OF KANAWHA COUNTY, WEST VIRGINIA
STATE OF WEST VIRGINIA

v.

Case No. 20-F-277 and 20-M-104
(Judge Louis H. Bloom)

WILLIAM ALLEN MEANS

ORDER ACCEPTING PLEAS OF GUILTY

On the 9th day of December, 2020, came the defendant, by video, and also came his counsel, W. Jesse Forbes, and the State of West Virginia by Jonathan M. Calhoun, Assistant Prosecuting Attorney in and for Kanawha County, West Virginia, by video, and the Court upon being advised that the defendant desired to enter pleas of guilty to the felony offense of Fleeing with Reckless Indifference to the Safety of Others, a provable offense as contained in Count Four of Felony Indictment Number 20-F-277; and to the misdemeanor offense of Driving While License Revoked for Driving Under the Influence, a provable offense as contained in Count Three of Misdemeanor Indictment Number 20-M-104, proceeded to inquire of both the defendant and his counsel concerning matters pertinent to the defendant's entering pleas of guilty before this Court; and

After due consideration of the facts and circumstances developed by said inquiry, of the responses and statements made by the defendant, and of the statements made by both counsel for the defendant and counsel for the State, this Court does accordingly find as follows:

1. The Court finds that the defendant fully understands he has the following rights concerning the criminal charges now pending against him:

A right to a trial by an impartial jury of twelve (12) persons, in which, the State would be required to prove its case beyond a reasonable doubt, but, by pleading guilty, he thoroughly understands that he would not receive such a trial;

A right to stand silent during all proceedings;

A right to confront and cross-examine his accusers;

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A right to present witnesses in his own defense and to testify in his own defense;

A right to petition for appeal of any jury's conviction for any errors of law; and,

The right to move the Court to suppress illegally obtained evidence and illegally obtained confessions, if any, and the right to challenge in the trial court and on appeal all pretrial proceedings.

2. The Court also finds that the defendant understands all of the following:

That by pleading guilty he waives all pre-trial defects with regard to, among others, his arrest, the gathering of evidence and prior confessions, as well as, all non-jurisdictional defects in this criminal proceeding;

That any plea bargaining that appears in the record of this case is not binding upon this Court with respect to punishment or probation;

That he may be sentenced as follows:

20-F-277 COUNT FOUR (Fleeing with Reckless Indifference to the Safety of Others):

To a state correctional facility for not less than one (1) nor more than five (5) years and a fine not less than one thousand dollars (\$1,000) nor more than two thousand dollars (\$2,000); and

20-M-104 COUNT THREE (Driving While License Revoked for Driving Under the Influence): To the regional jail for a determinate term of not less than thirty (30) days nor more than six (6) months, and fined not less than one hundred dollars (\$100.00) nor more than five hundred dollars (500.00).

3. The Court finds that the defendant has counsel, competent in criminal matters, and the defendant is totally satisfied with the representation and advice he has received from said counsel; that the defendant has consulted with, and has been advised by his counsel, with respect to his constitutional rights and his waiver thereof; and, that the defendant and his counsel have received a copy of the indictment in this case, and further, the defendant understands the nature

and meaning of the charges contained in said indictment.

4. The Court further finds that the defendant has knowingly and intelligently waived all of his constitutional rights; and, that he freely, voluntarily, intelligently, knowingly, and understandingly tendered unto this Court both his oral and written pleas of guilty to the charge of Fleeing with Reckless Indifference to the Safety of Others, a provable offense as contained in Count Four of said indictment; and to the charge of Driving While License Revoked for Driving Under the Influence, a provable offense as contained in Count Three of said indictment.

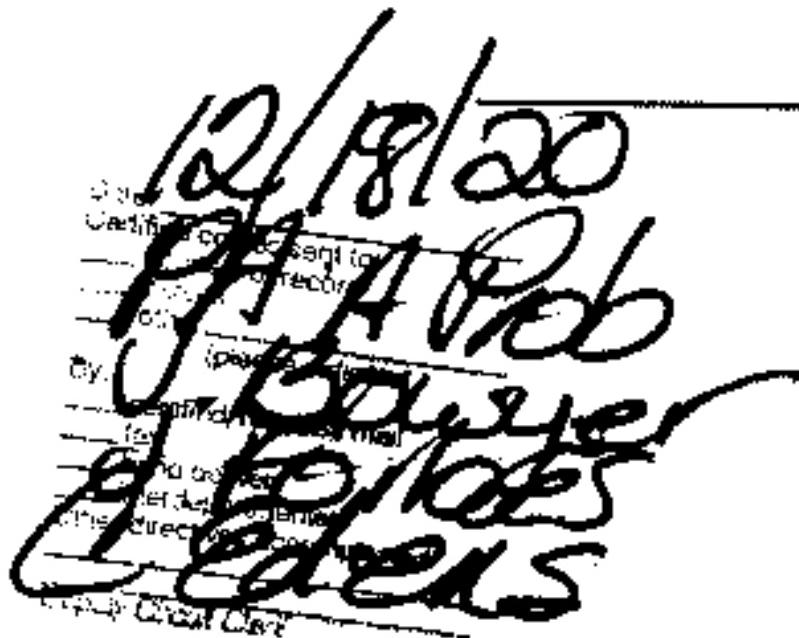
THEREFORE, this Court is of the opinion to and does hereby accept the defendant's oral and written pleas of guilty tendered unto this Court and hereby **ORDERS** and **DIRECTS** that said written pleas and the notes of this proceeding be filed and made a part of the official record of this case.

Upon said pleas, this Court doth **ADJUDGE** the defendant guilty of the felony offense of Fleeing with Reckless Indifference to the Safety of Others, a provable offense as contained in Count Four of said indictment; and the misdemeanor offense of Driving While License Revoked for Driving Under the Influence, a provable offense as contained in Count Four of said indictment and continues this matter until the 4th day of February,
202021 at 10:30 o'clock a.m., for further consideration.

The Court further **ORDERED** that Counts One, Two and Five of Felony Indictment Number 20-F-277 and Count Six of Misdemeanor Indictment Number 20-M-104 are hereby dismissed and stricken from the docket.

ENTERED THIS 17th day of December, 2020


LOUIS H. BLOOM, JUDGE
Thirteenth Judicial Circuit


12/18/20
LHB
Lawyer
Papers
Received
Clerk's Office
Court of Appeals
State of Florida
Case No. 20-104
Date Received: 12/18/2020
Time Received: 10:30 AM
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Filing Clerk: [Signature]

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